

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re: KIRK A. PALLADINI : Bankruptcy No. 20-70288-JAD  
: Debtor(s) : Chapter 13

**AFFIDAVIT**

I, Kirk A. Palladini, being of full age and being duly sworn according to law, on our oath say:

1. I currently reside at 521 5<sup>th</sup> Avenue, Altoona, PA 16602
2. I am the Debtor in the above-captioned matter.
3. I have failed to comply with my current Chapter 13 Plan payments due to a medical issue which rendered me unable to work. Specifically, I had a portion of my foot amputated. I am presently receiving social security disability. My spouse again suffered from a medical issue which caused her to lose employment for a period of time, but she is now back to work. In addition, family members have moved in with my spouse and I and will contribute to our household income in an amount sufficient to allow us to complete the plan.

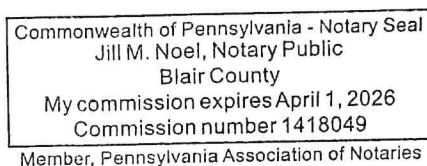
I, Kirk A. Palladini, certify that the foregoing statements made in the foregoing affidavit by us are true. We are aware that if any of the foregoing statements made by us are willfully false, I am subject to punishment for perjury.

Kirk A. Palladini  
Kirk A. Palladini

COMMONWEALTH OF PENNSYLVANIA :  
: SS  
COUNTY OF Blair :

On this 6<sup>th</sup> day of February, 2025, before me, the undersigned officer, personally appeared Kirk A. Palladini, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that we executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.



Jill M. Noel  
My commission expires 4-1-2026

**Pennsylvania**  
VISITPA.com USA

**DRIVER'S LICENSE**

NOT FOR REAL ID PURPOSES

001

4 DLN: 23 861 237  
3 DOB: 10/29/1968  
1 PALLADINI  
2 KIRK  
5 521 5TH AVENUE  
ALTOONA, PA 16602  
4 EXP: 10/30/2027  
4 ISS: 11/01/2023  
15 SEX: M 16 EYES: GRN  
16 HGT: 5'10"  
9 CLASS: C  
9 END: NONE  
12 RESTR: NONE


DUPS: 00

VETERAN

DL

*Kirk A. Palladini*

5 DD: 2330501501901  
000000027182



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE: KIRK A. PALLADINI**

**Case No. 20-70288-JAD**

## Chapter 13

**Debtor(s).**

)  
)  
)  
)  
)  
)  
**X**

## **STIPULATED ORDER MODIFYING PLAN**

**WHEREAS**, this matter is being presented to the Court regarding

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:***

- ☒ a motion to dismiss case or certificate of default requesting dismissal
- ☒ a plan modification sought by: Debtor
- ☐ a motion to lift stay  
as to creditor \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

**WHEREAS**, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

**IT IS HEREBY ORDERED** that the

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☒ Chapter 13 Plan dated June 9, 2020\_

is modified as follows:

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☒ Debtor(s) Plan payments shall be changed from \$1,402 (per prior stipulation) to \$3,071.00 per month, effective February 25, 2025; and/or the Plan term shall be changed from        months to        months.

- ☒ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve \_\_\_\_\_ on or before \_\_\_\_\_.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as \_\_\_\_\_ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other: \_\_\_\_-Wilmington Savings Fund Society CL #4 Governs all NMPC or record, Peoples Gas to be paid as a priority administrative claim per OE 7/3/21 (Doc 45), Trustee's COD filed 1/13/2025 (Doc. 84) is resolved.

**IT IS FURTHER ORDERED** that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

**IT IS FURTHER ORDERED** that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

*[Remainder of Page Intentionally Left Blank]*

**SO ORDERED**, this \_\_\_\_ day of \_\_\_\_\_, 2025

Dated: \_\_\_\_\_

\_\_\_\_\_  
United States Bankruptcy Judge

Stipulated by:

/s James M. McClure, Esquire  
Counsel to Debtor

Stipulated by:

/s James C. Warmbrodt, Esquire  
Counsel to Chapter 13 Trustee

Stipulated by:

\_\_\_\_\_  
Counsel to affected creditor

cc: All Parties in Interest to be served by Clerk

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA

In Re: KIRK A. PALLADINI	:	
	:	Bankruptcy No. 20-70288JAD
Debtor	:	Chapter 13
Ronda J. Winnecour, Trustee	:	Document No.
Movant	:	Hearing Date & Time:
	:	
v.	:	
Kirk A. Palladini	:	
Respondent(s)	:	

**SETTLEMENT AND CERTIFICATION OF COUNSEL REGARDING  
TRUSTEE'S CERTIFICATE OF DEFAULT REQUESTING DISMISSAL OF CASE**

The undersigned hereby certifies that agreement has been reached with the respondent(s) regarding the Trustee's Certificate of Default Requesting Dismissal of Case filed on April 11, 2024.

The signature requirements of W.PA.LBR 5005-6 have been followed in obtaining the agreement of all parties and is reflected in the attached document.

The undersigned further certifies that:

- x An agreed order and a redline version showing the changes made to the order originally filed with the court as an attachment to the motion is attached to this Certificate of Counsel. Deletions are signified by a line in the middle of the original text (strikeout) and additions are signified by text in italics. It is respectfully requested that the attached order be entered by the Court.
- X No other order has been filed pertaining to the subject matter of this agreement.
- x The attached document does not require a proposed order.

Dated: January 21, 2025

By: s/ James M. McClure, Esquire  
Signature

James M. McClure, Esquire  
Typed Name

20 S. Wayne Street, Lewtown, PA 17044  
Address

814 643-3555  
Phone No.

80103  
List Bar I.D. and State of Admission



**Plan Calculation I**

Wednesday, February 5, 2025

11:04 am

20-70288JAD

KIRK A. PALLADINI

KIRK A. PALLADINI (XXX-XX-4189)

\$0.00 MO/\$1,402.00 MO

Bar Date: 10/15/2020

Confirmed: Confirmed Bar Check Is NO

Case Status: ACTIVE

Attorney: JAMES M MCCLURE ESQ

**55 Month(s) since Confirmation UP = \$0.00 TPI = \$27,477.09 BOH = \$5.00**

Line	Name	Claimed Amt	Mortgage Due	Coll/Value	Int. Rate	Monthly Pmt	To Be Paid	MO
<b>ATTORNEY FEE</b>								
1	JAMES M MCCLURE ESQ							
2	ADDED CREDITOR							
<b>DEBTOR REFUND</b>								
3	KIRK A. PALLADINI							
<b>OTHER ATTORNEY</b>								
4	BMZ LAW**							
5	JAMES M MCCLURE ESQ	\$2,500.00						
6	ADDED CREDITOR							
<b>PRIORITY CREDITOR</b>								
7	PEOPLES NATURAL GAS CO LLC*					\$152.60	\$763.00	
8	PEOPLES NATURAL GAS CO LLC*	\$610.40		\$610.40			\$610.40	
9	ADDED CREDITOR							
10	ADDED CREDITOR							
<b>MORTGAGE REGULAR PAYMENT</b>								
11	US BANK NA - INDENTURE TRUSTEE ET AL					\$304.50	\$1,522.50	
12	US BANK NA - INDENTURE TRUSTEE ET AL	\$1,211.20		\$1,211.20			\$1,211.20	
13	ADDED CREDITOR							
14	ADDED CREDITOR							
15	ADDED CREDITOR							
<b>MORTGAGE ARR.</b>								
16	US BANK NA - INDENTURE TRUSTEE ET AL	\$11,663.51		\$10,169.74			\$10,169.74	
<b>SECURED CREDITOR</b>								
17	ADDED CREDITOR							
18	ADDED CREDITOR							
<b>VEHICLE</b>								
19	ADDED CREDITOR							
20	ADDED CREDITOR							
<b>PRIMARY RES MORTGAGE REGULAR PAYMENT</b>								
21	ADDED CREDITOR							
22	ADDED CREDITOR							
23	ADDED CREDITOR							
<b>MORTGAGE PAID IN FULL</b>								
24	ADDED CREDITOR							
25	ADDED CREDITOR							
26	ADDED CREDITOR							
<b>COURT ORDERED PAYMENT</b>								
27	ADDED CREDITOR							
28	ADDED CREDITOR							
<b>UNSECURED (S)</b>								
29	ADDED CREDITOR	\$9.20					\$9.20	
<b>All Unsecured Creditors</b>		<b>Total Unsecured</b>			<b>% Allow</b>		<b>Amount Allowed</b>	
30		14,519.13			0.00		\$0.00	

**Plan Calculation I**

Wednesday, February 5, 2025

11:04 am

20-70288JAD

KIRK A. PALLADINI

Plan Terms	5	Lump Sum	\$5.32	Trustee's %	7.00
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Due to Creditors:	\$491.51	\$15,361.33
In From Debtor:	\$3,071.21	\$15,361.37

**Debtor 1 Pay Schedules**

Who's Paying	Amount	Schedule
KIRK A. PALLADINI	\$3,071.21	MONTHLY
KIRK A. PALLADINI	\$0.00	MONTHLY
KIRK A. PALLADINI	\$0.00	WEEKLY

**Debtor 2 Pay Schedules**

Who's Paying	Amount	Schedule
	\$0.00	WEEKLY



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:   
Debtor(s) :   
: Chapter 13

**DOCUMENTARY PROOF OF PAYMENT**

The undersigned respectfully represents as follows:

Attached hereto is Documentary Proof of Payment consisting of the Chapter 13 Trustee's Receipt of payment.

Date: February 6, 2025

Respectfully submitted,

/s/James M. McClure  
James M. McClure, Esquire  
Supreme Court ID No. 80103  
113 Fourth Street  
Huntingdon, PA 16652  
(814) 643-3555